

United States
Court of Appeals
for the Ninth Circuit

UNITED STATES OF AMERICA,
Appellant,

vs.

MARY HAGEN, et al.,
Appellees.

SECOND SUPPLEMENTAL

Transcript of Record

Appeal from the United States District Court
for the District of Montana

(FILED)

FEB 2 1979

PAUL R. SPENCER, CLERK

United States
Court of Appeals
for the Ninth Circuit

UNITED STATES OF AMERICA,

Appellant,

vs.

MARY HAGEN, et al.,

Appellees.

SECOND SUPPLEMENTAL

Transcript of Record

Appeal from the United States District Court
for the District of Montana



INDEX

Certificate of Clerk	175
Clerk's Docket Entries of Mailing Copies of No- tice of Appeal	174
Designation of Contents of Record on Appeal..	174
Notice of Appeal	173

In the United States District Court for the District
of Montana, Billings Division

Civil No. 348

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL T. MARKEY, et al.,

Defendants.

NOTICE OF APPEAL

To the Clerk of the Above-Entitled Court:

Notice Is Hereby Given that the United States of America, plaintiff above named, through the undersigned, its attorneys, appeals to the United States Court of Appeals for the Ninth Circuit from that part of the judgment of the Court entered in the said action on November 24, 1948, which purports to order the United States to pay the further sum of \$3,642.92 with interest thereon at the rate of 6 per cent per annum from July 11, 1944, until paid.

Dated this, the 17th day of January, 1949.

JOHN B. TANSIL,

Attorney of the United States, in and for the District of Montana.

J. F. MEGLEN,

Special Assistant to the United States Attorney for the District of Montana.

[Endorsed]: Filed January 18, 1949.

(Clerk's Docket entry of mailing copies of Notice of Appeal by United States of America, to certain parties:)

Jan. 18, 1949—Mailed copies of Notice of Appeal by United States of America from Judgment of November 24, 1948, to D. C. Warren, Glendive, Montana, attorney for Dawson County, Montana; to Cecil N. Brown, Terry, Montana, Attorney for Prairie County, Montana; to P. F. Leonard, Miles City, Montana, Attorney for Bondholders; to Edna Yale, Moscow, Idaho; and to A. W. Roen, Fargo, North Dakota.

[Title of District Court and Cause.]

DESIGNATION OF CONTENTS OF RECORD ON APPEAL

Pursuant to Rule 75, Federal Rules of Civil Procedure, the United States of America designates the following portions of the record to be contained in the record on appeal to the United States Court of Appeals for the Ninth Circuit in the above-entitled cause:

1. Notice of appeal filed January 17, 1949, by the United States of America, from judgment filed November 24, 1948.

2. This designation.

JOSEPH F. MEGLEN,
Special Assistant to the United
States Attorney.

[Endorsed]: Filed Feb. 19, 1949.

In the District Court of the United States in and for
the District of Montana

United States of America,
District of Montana—ss.

CLERK'S CERTIFICATE

I, H. H. Walker, Clerk of the United States District Court for the District of Montana, do hereby certify that the annexed and foregoing, consisting of four pages, numbered consecutively from 1 to 4, inclusive, constitute a correct supplemental transcript of all portions of the record in case Numbered 348, United States of America vs. Paul T. Markey, et al., designated by the United States of America as the Supplemental Record on Appeal thereon, as appears from the original records and files of said Court in my custody as such Clerk.

I further certify that the costs of said Supplemental Transcript of Record amount to the sum of Thirty Cents (30c) and have been made a charge against the United States.

Witness my hand and the seal of said Court at Great Falls, Montana, this 19th day of February, A.D. 1949.

(Seal)

H. H. WALKER,
Clerk as aforesaid.

[Endorsed]: No. 11821. United States Court of Appeals for the Ninth Circuit. United States of America, Appellant, vs. Mary Hagen, et al., Appellees. Second Supplemental Transcript of Record. Appeal from the United States District Court for the District of Montana.

Filed February 23, 1949.

/s/ PAUL P. O'BRIEN,
Clerk of the United States Court of Appeals for the
Ninth Circuit.